

SCHEDULE A:

Changes Between 2003 Interlocal Agreement and 2015 Proposed Interlocal Agreement Between the City of Durham and Durham County for the Re-establishment of the Greater Durham Workforce Development Board

Article	2003 Agreement	2015 Proposed Agreement
Title and Purpose Article I	<p>The County of Durham (hereafter "the County") and the City of Durham (hereafter "the City"), contiguous units of local government, agree to serve as a designated local workforce investment area for Durham County, and to establish a board to serve such designated area, pursuant to PL 105-220, the Workforce Investment Act of 1998, as amended (hereafter, "the Workforce Investment Act"), 29 USC 2811 et seq., the federal law that replaced the Job Training Partnership Act (JTPA) P.L. 97-300. The Board that is created shall be known as the Greater Durham Workforce Development Board (hereafter, the "Board").</p> <p>In addition to overseeing programs created under the Workforce Investment Act, the Board is also authorized to oversee the expenditure of monies that may be directed to the Board under the Welfare-to-Work grant provisions in Title IV, Part A of the Social Security Act (P.L. 94-271), the North Carolina Employment and Training grant program, and other such programs that may be referred to the Board for implementation by the City and the County.</p> <p>The area served, formerly known as the "Central Piedmont Area" shall be known as the "Durham Local Area."</p>	<p>The City and the County shall form a consortium for the purpose of acting jointly as a local workforce development area under the Workforce Innovation and Opportunity Act (WIOA) of 2014, Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Greater Durham Workforce Development Interlocal Area; and this agreement shall be known as the Greater Durham Workforce Development Interlocal Consortium Agreement. Both the consortium and the agreement shall take effect on July 1, 2015.</p>
Board Appointments Article VIII – 2003 Article VII – 2015	<p>Appointment of individuals to serve the Board shall be in accordance with the bylaws of the Board. The Board shall consist of at least twenty one members. Ten shall be appointed</p>	<p>Appointment of individuals to serve on the Greater Durham Workforce Development Board shall be in accordance with the Bylaws of the Greater Durham Workforce</p>

	<p>by the Chair of the Board of County Commissioners, and approved by the County Board of Commissioners and eleven shall be appointed by the Mayor and approved by the Durham City Council.</p>	<p>Development Board, which shall be established by the Greater Durham Workforce Development Board. The Greater Durham Workforce Development Board shall consist of no more than [twenty-five (Option 1) or twenty-six (Option 2)]. A majority shall be appointed by the City through the approval of the Durham City Council and consistent with the Bylaws of the Greater Durham Workforce Development Board. The remainder shall be appointed by the County through the approval of the Durham County Board of County Commissioners and consistent with the Bylaws of the Greater Durham Workforce Development Board.</p>
<p>Administration of the Local Workforce Development Board</p> <p>Article IX – 2003 Article VIII - 2015</p>	<p>The City of Durham’s Office of Economic and Workforce Development (hereafter referred to as the “Administrative Entity”) shall administer the activities funded under the Workforce Investment Act and activities approved by the local workforce development board. The parties acknowledge and agree that the County shall not be liable for or contribute to the Administrative Entity under this agreement. Employees of the Administrative Entity shall be City employees. Notwithstanding the provisions of Article III and Article VII, contracts administered by the City pursuant to this consortium agreement, under the Greater Durham Workforce Development Board’s direction, may be executed by the City Manager of the City of Durham.</p>	<p>The City of Durham’s Office of Economic and Workforce Development (hereafter referred to as the “Administrative Entity”) shall administer the activities funded under the Workforce Innovation and Opportunity Act of 2014 and activities approved by the local workforce development board. Employees of the Administrative Entity shall be City employees. Notwithstanding the provisions of Article III Section 3, Article IV, and Article VII above, contracts administered by the City pursuant to this consortium agreement, under the Greater Durham Workforce Development Board’s direction, may be executed by the City Manager of the City of Durham.</p>

<p>Reporting Article X – 2003 Article IX - 2015</p>	<p>A formal report on the previous year's activities shall be provided by the Workforce Development board to the governing bodies at the beginning of each calendar year. The report shall track progress and provide measurable outcomes of activities undertaken by the Workforce Development Board. An informal report will be provided six months after the beginning of each calendar year to the governing bodies.</p>	<p>A formal report on any given year's activities shall be provided by the Greater Durham Workforce Development Board in the following fiscal year. The report shall track progress and provide measurable outcomes of activities undertaken by the local workforce development board. Other reports shall be provided as requested by the Greater Durham Workforce Development Board throughout the course of the fiscal year.</p>
<p>Financing Article XI – 2003 Article X - 2015</p>	<p>1. It is anticipated that funding necessary to implement this agreement will be derived from federal and state grant funds received through the Governor.</p> <p>2. The units of local government acknowledge that pursuant to 29 USCA §2832, the designated chief elected official named in Article VII above shall serve as the grant recipient for the allocated grant funds and shall be accountable for any liabilities arising out of the allocation of said grant funds under the Workforce Investment Act of 1998, the Welfare-to- Work Grant, and the North Carolina Employment and Training Grant, and for all Funds received by the workforce investment area pursuant to the Workforce Investment Act, the Welfare-to-Work Grant, and the North Carolina Employment and Training Grant. Liability includes, but is not limited to, responsibility for prompt repayment from non-program funds of any mis-expenditures by the Administrative Entity of the local area, or any of its sub-recipients or contractors, or the Board.</p> <p>3. Any entity or joint agency created or designated by this workforce investment area, including the Board and</p>	<p>1. It is anticipated that funding necessary to implement this agreement shall be derived from federal grant funds received through the Governor.</p> <p>2. The City and the County acknowledge that the City of Durham shall be accountable for financial responsibilities arising out of activities under the Workforce Innovation and Opportunity Act of 2014 (WIOA), and all funds received by the local workforce development area pursuant to WIOA. Financial responsibility includes, but is not limited to, responsibility for prompt repayment from non-program funds of any disallowed costs by the administrative entity of the Greater Durham Workforce Development Board Area, or any of its sub-recipients or contractors, or the Greater Durham Workforce Development Board itself. The parties agree that the County, as well as other units of local government shall have the ability, but not responsibility to financially contribute to the operations and programs of the workforce development board.</p> <p>3. Any entity or joint agency created or designated by this local workforce development area,</p>

	Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.	including the Greater Durham Workforce Development Board and the Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.
Real Property Article XII – 2003 Article XI – 2015	The Board will neither acquire nor dispose of real property.	The Greater Durham Workforce Development Board shall follow all Workforce Innovation and Opportunity Act of 2014 and State law requirements governing the title, use, and disposition of real property, equipment, and supplies purchased with federal funds.